

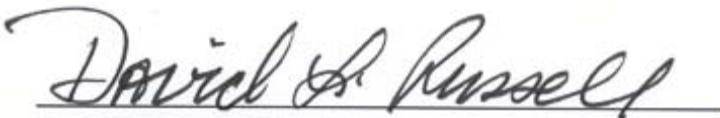
**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RON DERECK BURNETT,)
Petitioner,)
v.) CIV-05-711-R
COLE JETER, Warden,)
Respondent.)

O R D E R

Before the Court is the Report and Recommendation of United States Magistrate Judge Doyle W. Argo entered July 29, 2005. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Moreover, Petitioner has still not paid the filing fee or submitted an application to proceed *in forma pauperis*. Therefore, the Report and Recommendation of the Magistrate Judge is ADOPTED and the petition of Ron Dereck Burnett for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 is DISMISSED without prejudice to refiling.

IT IS SO ORDERED this 19th day of August, 2005.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE